

**Remark**

Applicants respectfully request reconsideration of this application as amended. Claims 39, 46, 57 and 60 have been amended. Claims 1-29 and 53 have been canceled. Therefore, claims 30-52 and 54-73 are now presented for examination.

**35 U.S.C. §102 Rejection,*****Brendel***

The Examiner has rejected claims 30-52 and 54-73 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,772,333 ("Brendel"). This is the same rejection that was presented in the previous non-Final action.

The Examiner would seem to be objecting to the claims first because "there is no associated entity that performs any of the assigning function." Claim 39, for example, has been amended to specifically recite that the functions of Claim 39 are performed by a dispatcher. Similar amendments have been made to the other independent claims as needed.

The Examiner in the Response to Arguments, suggests that "the load balancer is capable of ... further associating the assigned server with an SSL session ID." While the load balancer may associate the assigned server with the SSL session ID, this session ID is assigned by the server and provided to the load balancer by the server. The association at the load balancer is merely in a lookup table. See Column 10, lines 8-11. "The server-generated SSL session ID, which is then returned from the server in the same connection as part of the response to the encrypted client request, is stored in a new or empty entry in

the table." Claim 39, by contrast recites, "assigning a secure tunnel to the assigned server at the dispatcher."

The Examiner in the Response to Arguments, further suggests that "a tunnel can be a designated channel of communication" and "[t]he connection to the assigned server is a designated channel of communication." The Examiner refers to the present application page 6, line 26. This section states that an "SSL tunnel is a designated channel of communication." This does not mean, however, that any designated channel of communication is an SSL tunnel or that any designated channel of communication is necessarily a secure tunnel. A designated channel of communication may be an SSL tunnel or it may be something entirely different, including a channel that is not secure.

The Examiner in the Response to Arguments, further suggests that "The connection to the assigned server is a designated channel of communication and communications are encrypted when the transaction is secure, hence a secure tunnel." The Examiner would seem to be suggesting that "assigning a secure tunnel to the assigned server at the dispatcher" as recited in Claim 39 may be read onto the "server-generated SSL session ID" of Brendel Col. 10, line 9. However, this is assigned by the server. Accordingly, as mentioned before, Brendel does not suggest "assigning a secure tunnel to the assigned server at the dispatcher" as recited in Claim 39.

### Conclusion

Applicants respectfully submit that the rejections have been overcome by the amendment and remark, and that the claims as amended are now in condition for allowance. Accordingly, Applicants respectfully request the rejections be withdrawn and the claims as amended be allowed.

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**Invitation for a Telephone Interview**

The Examiner is requested to call the undersigned at (303) 740-1980 if there remains any issue with allowance of the case.

**Request for an Extension of Time**

Applicants respectfully petition for an extension of time to respond to the outstanding Office Action pursuant to 37 C.F.R. § 1.136(a) should one be necessary. Please charge our Deposit Account No. 02-2666 to cover the necessary fee under 37 C.F.R. § 1.17(a) for such an extension.

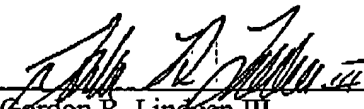
**Charge our Deposit Account**

Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: July 5, 2005

  
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